



1392 JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI) SERVICES	
Chapter: Juvenile Justice Field Services	Section: Case Management
 <p>New Hampshire Division for Children, Youth and Families Policy Manual Policy Directive: 14-54 Effective Date: December 2014 Scheduled Review Date:</p>	<p>Approved:</p>  Lorraine Bartlett, Acting DCYF Director
Related Statute(s): RSA 169-B , and RSA 621 Related Admin Rule(s): He-C 6350 Related Federal Regulation(s):	Related Form(s): Detention Assessment Screening Instrument , Instructions , and DCYF FORM 1001-2 , and FORM 2103 Bridges' Screen(s) and Attachment(s):

Alternatives to secure detention can be an effective response when youth commit delinquent offenses, violate court orders or conditional release pursuant to RSA 169-B, which do not meet the threshold for detention but due to the emergent nature of their behavior require immediate, brief, temporary residential services. Alternatives to secure detention enhance the public safety, provide supervision of the alleged offender, and allow for case planning based on the Division for Children, Youth and Families Practice Model.

Purpose

This policy establishes procedures for accessing and payment of Juvenile Detention Alternative Initiative (JDAI) services.

Definitions

"DCYF" or the **"Division"** means the DHHS Division for Children, Youth and Families.

"John H. Sununu Youth Services Center," "SYSC," or **"Youth Detention Services Unit"** means the architecturally secure juvenile treatment facility administered by the DHHS Division for Children, Youth and Families for committed youth and for NH youth involved with the NH court system prior to their adjudication.

"Juvenile Detention Alternatives Initiative (JDAI) Services" means a temporary, court-ordered residential service available to law enforcement officers and Juvenile Probation and Parole Officers (JPPO) to provide emergency care and supervision through a DCYF certified provider for youth charged with a delinquent offense. JDAI services are an 'alternative to secure detention' [see: RSA 169-B:2, II] and in general, are accessed after regularly scheduled court hours.

"JPPO" means the Juvenile Probation and Parole Officer employed by DCYF.

"JPPS" means the Juvenile Probation and Parole Supervisor employed by DCYF.

"Risk Assessment Instrument (RAI)" or **"Detention Assessment Screening Instrument"** means the screening instrument issued by the New Hampshire Judicial Branch - Circuit Court that screens for the appropriateness of secure detention. It must be completed prior to the detention or use of Juvenile Detention Alternative Initiative (JDAI) services for a youth charged with a delinquent offense.

Policy

I. General Principles

- A. Providers of Juvenile Detention Alternatives Initiative (JDAI) services must be Residential Treatment Facilities certified by the New Hampshire Department of Health and Human Services through He-C 6350.
- B. JDAI services are available to youth who commit new delinquency offense(s) or violation of conditional release or court orders pursuant to RSA 169-B, that require immediate removal from their home due to the safety concerns with their behavior and the offense committed.
 - 1. JDAI services must be court-ordered and include a judicial determination that continuing in the home is contrary to the youth's welfare and the reasons supporting this ruling.
 - 2. JDAI services are available for a minimum of one day to a maximum of five days, including weekends and holidays, pending arraignment or hearing pursuant to RSA 169-B:14.
 - (a) It is prohibited to access JDAI services under a "dual order" or "deferred detention" which would require the youth's placement in the SYSC Youth Detention Services Unit without benefit of a hearing.
 - (b) It is also prohibited to access JDAI services longer than five days or as a dispositional option.
- C. JPPOs may assist law enforcement officers seeking access to JDAI services.
- D. JPPOs must develop plans for the future placement needs for youth accessing JDAI services according to the DCYF Practice Model and provisions of Solution Based Casework.
- E. Youth exhibiting active suicidal or homicidal ideation, presently under the influence of drugs and/or alcohol, and/or exhibiting aggressive/violent behavior are not be eligible for JDAI services.
- F. The Statewide JDAI Coordinator and District Office Fiscal Specialist must be notified anytime a youth accesses JDAI services.

II. Accessing and Procedures for JDAI Services

- A. The JPPO determines a youth requires immediate removal from their current residence due to safety concerns of the youth's behavior and the violation(s) or offense(s) committed. In making this determination, consideration shall be given to the nature of the youth's behavior causing the inability to:
 - 1. Stay in their current residence; and
 - 2. Be placed with appropriate relatives or other responsible adults.

- B. Prior to seeking a court order for JDAI services the JPPO, or Law Enforcement Agency if after hours, must:
1. Conduct a record search to determine if the youth has a history of juvenile justice involvement. This search includes, but is not limited to:
 - (a) A search by law enforcement officers of their department's records, if applicable;
 - (b) A search on New Hampshire Bridges. If the search is being conducted after regular business hours, SYSC Operations' staff may conduct the search - (603) 625-5471 or (888) 230-0606.
 2. Complete the Detention Assessment Screening Instrument based on the current offense(s) or violation(s), any information found during the records search as described in section II B:1 immediately above, and other aggravating or mitigating factors known at the time of the instrument's completion.
- C. The Detention Assessment Screening Instrument, any supporting motion, and the request for a determination of Contrary to the Welfare are presented to the court. The JPPO must ensure the court order includes:
1. Authorization to access JDAI services;
 2. A 'Contrary to the Welfare' determination with supporting reasons;
 3. Authorization for transportation as necessary; and
 4. An arraignment scheduled within five days of the authorization for JDAI services.
- D. When accessed **after hours**, SYSC Operations Staff must notify the On-Call Juvenile Probation and Parole Supervisor (JPPS) of the use of JDAI services.
1. The On-Call JPPS must notify the JPPS or designee of the appropriate District Office and the JDAI State Coordinator by e-mail, fax, or phone at the start of the next business day.
 2. The District Office JPPS must assign a JPPO to the youth, if one has not been previously assigned, by the close of business or the next business day if JDAI services were accessed after hours or during the weekend.
 - (a) The JPPO must assess and address the service needs of the youth including the five-day limit on the use of JDAI services.
 - (b) Any additional services determined necessary for the youth during the JDAI services must be accessed through the JPPO assigned to the case.
- E. Parent(s)/guardian(s) of youth accessing JDAI services must sign DCYF Form 1001-2 "Parent/Guardian Authorization for Medical, Dental and Psychiatric Treatment" to allow for emergency medical treatment that may arise while the youth is accessing JDAI services.

1. When accessing JDAI services after hours, the On-Call JPPS must ensure the Law Enforcement Agency has access to DCYF Form 1001-2 "Parent/Guardian Authorization for Medical, Dental and Psychiatric Treatment" for the JDAI service provider.
 2. The JPPO must ensure Form 1001-2 is forwarded to the JDAI service provider if not previously provided.
- F. Transportation to the JDAI service provider, as well as to and from arraignment or the initial hearing pursuant to RSA 169-B:14 shall be the responsibility of the agency seeking the JDAI services. Any subsequent transportation needs during JDAI services shall be ordered by the court.
 - G. Arraignment or hearing pursuant to RSA-B:14 on the charge(s) that initiated the youth's access to JDAI services must be scheduled in accordance with applicable state statutes and in keeping within the five-day limit on JDAI service use.
 - H. Prior to the assignment of a JPPO for the youth AND in the event the youth's behavior at the JDAI service provider makes the youth unsuitable for the facility, responsibility to remove the youth shall remain with the agency that obtained the court order to access JDAI services.
 - I. JPPOs recommending a youth return to the same JDAI service provider for residential placement must ensure the residential provider accepts the youth pursuant to referral protocols.
 - J. If the youth returns to the JDAI services provider after arraignment, the JPPO must close the JDAI services authorization and authorize subsequent placement as indicated below in section III C.

III. Fiscal Requirements

- A. Upon accessing JDAI services, the JPPO must ensure the court order and DCYF Form 2103 "Service Authorization" are submitted to the District Office Fiscal Specialist.
- B. Upon ending JDAI services, the JPPO must ensure DCYF Form 2103 "Service Authorization" is submitted to the District Office Fiscal Specialist and the JPPO must ensure an email is sent to DCYF Provider Relations at DCYF.Provider.Relations@dhhs.state.nh.us notifying of the closure of JDAI services no later than 24 hours after the end of JDAI services.
 1. If the youth is discharged from the JDAI service to an out-of-home placement, a new DCYF Form 2103 "Service Authorization" must be submitted for the placement service beginning the day of the youth's arraignment.
 2. This includes if the youth returns to the same JDAI service provider for residential placement.
- C. Authorization for JDAI services shall be from the date of admission through the date of discharge; not exceed five days, including holidays and weekends.
 1. The Fiscal Specialist enters JDAI services as an unpaid placement;

2. Provider Relations will enter a service authorization in NH Bridges once approval has been obtained by the JDAI Statewide Coordinator.
 3. Providers of JDAI services for 24 hours or less shall be paid for one day of service.
 4. Providers of JDAI services beyond 24 hours will be paid the JDAI services daily rate for each calendar day that the youth is authorized for JDAI services.
 5. If the youth is admitted to the same residential treatment facility that provided the JDAI service, the residential treatment facility shall not bill for the day of discharge from the JDAI service. The residential treatment facility shall bill for the day of admission when a child is admitted to the residential treatment facility directly from a JDAI service.
- D. Providers of JDAI service must submit bills or invoices for youth accessing JDAI beds to the JDAI State Coordinator at the Sununu Youth Services Center, 1056 North River Road, Manchester, NH 03104 within 30 days of providing the service.
1. The JDAI State Coordinator shall review and send bills or invoices to the Supervisor of Provider Relations for payment.
 2. Bills or invoices that are incorrect must be corrected prior to being approved for payment.
 3. JDAI service providers shall be compensated at the JDAI services daily rate.

Practice Guidance

I have a youth on my caseload that needs to 'cool off' for a few days; can the youth use JDAI services?

- No, only youth who commit new delinquency offenses or violate conditional release under RSA 169-B and require immediate, temporary residential services that do not meet the threshold for secure detention are appropriate for JDAI services. JDAI services are not a service for treatment or therapeutic crisis stabilization. Shelter care and other residential treatment providers offer treatment services.

I have a youth on my caseload who I would like to admit to an intensive residential treatment facility such as Wediko but they do not have any certified beds open, can I use this to have my youth in a bed until one opens?

- No, JDAI services are intended as a detention alternative, not an emergency treatment service.

I have a youth on my caseload that has been adjudicated as a Child In Need of Services; can this youth access JDAI services?

- No, only youth with pending delinquency offenses or violations of conditional release or court orders in a delinquency case may access JDAI services.

Do youth who access JDAI services who have a judicial determination of 'contrary to the welfare' require a 'reasonable efforts' determination?

- Yes, within 60 days of the 'contrary to the welfare' determination the court must make a 'reasonable efforts' determination.